

House Concurrent Resolution 6 - Introduced

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H.C.R. _____ S.C.R. _____

1 1 HOUSE CONCURRENT RESOLUTION NO. ____
1 2 BY SORENSON, DE BOEF, SCHULTZ, TYMESON,
1 3 DEYOE, PAULSEN, UPMAYER, RAECKER, WATTS,
1 4 HAGENOW, HELLAND, KAUFMANN, WINDSCHITL,
1 5 COWNIE, WAGNER, KOESTER, LUKAN, BAUDLER,
1 6 SANDS, HUSEMAN, SODERBERG, and PETTENGILL
1 7 (COMPANION TO SCR 1 BY McKINLEY)
1 8 A Concurrent Resolution claiming state sovereignty
1 9 under the Tenth Amendment to the Constitution of
1 10 the United States over certain mandates imposed on
1 11 states by the federal government.
1 12 WHEREAS, the Tenth Amendment to the Constitution of
1 13 the United States reads as follows:
1 14 "The powers not delegated to the United States by
1 15 the Constitution, nor prohibited by it to the States,
1 16 are reserved to the States respectively, or to the
1 17 people."; and
1 18 WHEREAS, the Tenth Amendment defines the total
1 19 scope of federal power as being that specifically
1 20 granted by the Constitution of the United States and
1 21 no more; and
1 22 WHEREAS, the United States Supreme Court has ruled
1 23 that Congress may not simply commandeer the
1 24 legislative and regulatory processes of the states;
1 25 and
1 26 WHEREAS, the scope of power defined by the Tenth
1 27 Amendment means that the federal government was
1 28 created by the states specifically to be an agent of
1 29 the states; and
1 30 WHEREAS, today, the states are demonstrably treated
2 1 as agents of the federal government; and
2 2 WHEREAS, many federal mandates on the states are
2 3 directly in violation of the Tenth Amendment to the
2 4 Constitution of the United States; NOW THEREFORE,
2 5 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
2 6 SENATE CONCURRING, That the State of Iowa hereby
2 7 claims sovereignty under the Tenth Amendment to the
2 8 Constitution of the United States over all powers not
2 9 otherwise enumerated and granted to the federal
2 10 government by the Constitution of the United States;
2 11 and
2 12 BE IT FURTHER RESOLVED, That the Iowa General
2 13 Assembly demands that the federal government, as its
2 14 agent, cease and desist, effective immediately,
2 15 enacting federal mandates on the states that are
2 16 beyond the scope of these constitutionally delegated
2 17 powers; and
2 18 BE IT FURTHER RESOLVED, That a copy of this
2 19 resolution be sent to the President of the United
2 20 States, the President of the United States Senate, the
2 21 Speaker of the United States House of Representatives,
2 22 and each member of Iowa's congressional delegation.
2 23 LSB 1150HH 83
2 24 ec/rj/5